

MINUTE ITEM

26. SELECTION OF VACANT FEDERAL LAND, LIEU LAND APPLICATION NO. 5065, SACRAMENTO LAND DISTRICT, SHASTA COUNTY, H. L. MacTAGGART - S.W.O. 5867.

After consideration of Calendar Item 9 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION:

1. AUTHORIZES THE EXECUTIVE OFFICER TO CANCEL THE APPLICATION OF H. L. MacTAGGART TO PURCHASE, PURSUANT TO THE PROVISIONS OF SECTIONS 2400 TO 2402, INCLUSIVE, OF TITLE 2, DIVISION 3, CALIFORNIA ADMINISTRATIVE CODE, THE SW $\frac{1}{4}$  OF NE $\frac{1}{4}$  AND LOTS 4, 9, 10 AND 11 OF SECTION 2, T. 30 N., R. 1-E., M.D.M., CONTAINING 179.82 ACRES IN SHASTA COUNTY (SIS 5065, SACRAMENTO LAND DISTRICT - S.W.O. 5867);
2. REFUNDS DEPOSITS LESS EXPENSES INCURRED TO DATE OF CANCELLATION;
3. DETERMINES THAT IT IS TO THE ADVANTAGE OF THE STATE TO SELECT SAID FEDERAL LAND; AND
4. APPROVES THE SELECTION OF SAID LAND.

Attachment

Calendar Item 9 (2 pages)

CALENDAR ITEM

9.

SELECTION OF VACANT FEDERAL LAND, LIEU LAND APPLICATION NO. 5065, SACRAMENTO LAND DISTRICT, SHASTA COUNTY, H. L. MacTAGGART - S.W.O. 5867.

An offer was received from H. L. MacTaggart of La Mirada, California, to purchase the SW $\frac{1}{4}$  of NE $\frac{1}{4}$  and Lots 4, 9, 10 and 11 of Section 2, T. 30 N., R. 1 E., M.D.M., containing 179.82 acres in Shasta County, for \$899.10, or \$5 per acre. This land may be obtained by the State from the Federal Government under the indemnity selection procedure.

Section 1903(b) of Title 2, Division 3, California Administrative Code (rules and regulations of the State Lands Commission), provides as follows: "In addition to this filing fee, an expense deposit shall be made in an amount sufficient to cover the costs of the commission in processing the application. This deposit shall be in the amounts specified in the separate articles hereof. Should such initial expense deposit be insufficient to cover said costs, the applicant shall deposit with the commission within 20 days following receipt of written notice, such additional sum as may be specified. Failure to so deposit shall be considered cause for cancellation of the application."

The minimum required expense deposit of \$100 was submitted by the applicant at the time of filing of his original application. By letter dated October 28, 1960, the applicant was requested to submit, as a supplemental expense deposit, the sum of \$870, the amount estimated as needed to cover all costs for processing his application, including inspection, cruise and appraisal of a substantial amount of merchantable timber, publication, patent fees, and other incidental expenses. A certified return-receipt card of the United States Postal Department shows delivery of the letter on October 31, 1960. To date the applicant has not deposited the requested sum of \$870. It is therefore concluded that he does not wish to proceed with his application, and it appears proper for the Commission to order cancellation in accordance with the provisions of Section 1903(b) quoted above.

The State's application to select the land has been accepted by the Bureau of Land Management, subject to future approval and listing.

IT IS RECOMMENDED THAT THE COMMISSION:

1. AUTHORIZE THE EXECUTIVE OFFICER TO CANCEL THE APPLICATION OF H. L. MacTAGGART TO PURCHASE, PURSUANT TO THE PROVISIONS OF SECTIONS 2400 TO 2402, INCLUSIVE, OF TITLE 2, DIVISION 3, CALIFORNIA ADMINISTRATIVE CODE, THE SW $\frac{1}{4}$  OF NE $\frac{1}{4}$  AND LOTS 4, 9, 10 AND 11 OF SECTION 2, T. 30 N., R. 1 E., M.D.M., CONTAINING 179.82 ACRES IN SHASTA COUNTY (SIS 5065, SACRAMENTO LAND DISTRICT - S.W.O. 5867);
2. REFUND DEPOSITS LESS EXPENSES INCURRED TO DATE OF CANCELLATION;

CALENDAR ITEM 9. (CONTD.)

3. DETERMINE THAT IT IS TO THE ADVANTAGE OF THE STATE TO SELECT SAID FEDERAL LAND; AND
4. APPROVE THE SELECTION OF SAID LAND.